

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

---

TRUSTEES OF BOSTON UNIVERSITY,	)	
Plaintiff,	)	Civil Action No.
v.	)	12-cv-11935-FDS
EVERLIGHT ELECTRONICS CO., LTD.,	)	
ET AL.,	)	
Defendants.	)	
TRUSTEES OF BOSTON UNIVERSITY,	)	
Plaintiff,	)	Civil Action No.
v.	)	12-cv-12326-FDS
EPISTAR CORPORATION, ET AL.,	)	
Defendants.	)	
TRUSTEES OF BOSTON UNIVERSITY,	)	
Plaintiff,	)	Civil Action No.
v.	)	12-cv-12330-FDS
LITE-ON INC., ET AL.,	)	
Defendants.	)	

---

ORDER OF CONSOLIDATION

SAYLOR, J.

On May 23, 2013, with the assent of the parties, this Court ordered the consolidation of the following cases:

1. *Trustees of Boston University v. Everlight Electronics Co., Ltd., et al.:*  
12-cv-11935-FDS;
2. *Trustees of Boston University v. Epistar Corporation, et al.:* 12-cv-12326-FDS;  
and
3. *Trustees of Boston University v. Lite-On Inc., et al.:* 12-cv-12330-FDS

Pursuant to Fed. R. Civ. P. 42(a), the Court may consolidate two or more pending actions involving a common question of law or fact. The Court finds that these three actions involve such common questions. These actions all involve patent infringement claims of the same patent, U.S. Patent No. 5, 686,738 ("738 patent"). At least at this early stage, common questions of fact and law exist, and coordination of these cases will reduce duplication, avoid unnecessary cost and mitigate potential conflict.

This consolidation is for pretrial and discovery purposes only, pending further order of the Court. All future pleadings shall be filed in Civil Action No. 12-cv-11935, pending further order of the Court.

Because these cases are in somewhat different postures at this stage, a separate scheduling order shall issue for the *Trustees of Boston University v. Epistar Corporation, et al.*, and *Trustees of Boston University v. Lite-On Inc., et al.*, cases. The scheduling order issued on April 12, 2013, in the *Trustees of Boston University v. Everlight Electronics Co., Ltd., et al.*, case, as modified in open court, shall remain in effect as to that proceeding.

**So Ordered.**

/s/ F. Dennis Saylor

F. Dennis Saylor IV

United States District Judge

Dated: May 29, 2013